

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

REV KASEY HOFFMANN,

Plaintiff,

v.

RAIL CITY, et. al.,

Defendants.

Case No. 3:16-cv-00304-RCJ-WGC

**REPORT & RECOMMENDATION OF
U.S. MAGISTRATE JUDGE**

Plaintiff previously filed an application to proceed in forma pauperis (IFP) (Electronic Case Filing (ECF) No. 1) and pro se complaint (ECF No. 1-1). On August 4, 2016, the court advised Plaintiff that it was unable to determine whether he is permitted to proceed IFP under 28 U.S.C. § 1915(b) because the documentation provided did not set forth his average monthly deposits or average monthly balance in his Shasta County Jail account. As a result, the court denied Plaintiff's IFP application without prejudice and afforded him thirty days to submit a completed application with a certified copy of his trust fund account statement for the six month period immediately preceding the order. As of today's date, Plaintiff has not submitted the documentation. Therefore, it is recommended that this action be **DISMISSED**.

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1 Plaintiff should be aware of the following:

2 1. That he may file, pursuant to 28 U.S.C. § 636(b)(1)(C), specific written objections to
3 this Report and Recommendation within fourteen days of receipt. These objections should be
4 titled "Objections to Magistrate Judge's Report and Recommendation" and should be
5 accompanied by points and authorities for consideration by the district judge.

6 2. That this Report and Recommendation is not an appealable order and that any notice of
7 appeal pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure should not be filed
8 until entry of judgment by the district court.

9 Dated: September 7, 2016.



WILLIAM G. COBB
UNITED STATES MAGISTRATE JUDGE